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**REPORT ON THE
 FILING OR DETERMINATION OF AN
 ACTION REGARDING A PATENT OR
 TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court **FOR THE DISTRICT OF HAWAII** on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.)

| DOCKET NO. | DATE FILED | U.S. DISTRICT COURT FOR THE DISTRICT OF HAWAII |
|--|--|---|
| CV11 00288 | APR 29 2011 | |
| PLAINTIFF ACUR LP VDF FUTURECEUTICALS, INC. | DEFENDANT SANDWICH ISLES TRADING CO. INC., D/B/A KONA RED, INC.; JOHN DOES 1-10 | |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
| 1 Patent 7,754,263 | 7/13/2010 | VDF Futureceuticals, Inc. |
| 2 Patent 7,807,205 | 10/5/2010 | VDF Futureceuticals, Inc. |
| 3 Patent 7,815,959 | 10/19/2010 | VDF Futureceuticals, Inc. |
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

| DATE INCLUDED | INCLUDED BY | <input type="checkbox"/> Amendment | <input type="checkbox"/> Answer | <input type="checkbox"/> Cross Bill | <input type="checkbox"/> Other Pleading |
|----------------------------|--------------------------------|------------------------------------|---------------------------------|-------------------------------------|---|
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK | | | |
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In the above—entitled case, the following decision has been rendered or judgement issued:

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| DECISION/JUDGEMENT |
|--------------------|

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|-------|-------------------|------|
| CLERK | (BY) DEPUTY CLERK | DATE |
|-------|-------------------|------|

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy